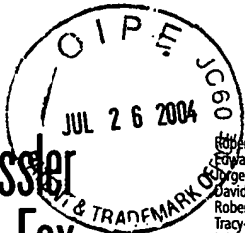


1636 JFV



**Sterne Kessler
Goldstein Fox**
ATTORNEYS AT LAW



Robert Greene Sterne
Edward J. Kessler
George A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Robert C. Millonig
Lawrence B. Bugaisky
Donald J. Featherstone
Michael V. Messinger

Judith U. Kim
Timothy J. Shea, Jr.
Patrick E. Garrett
Jeffrey T. Helvey
Heidi L. Kraus
Albert L. Ferro*
Donald R. Banowitz
Peter A. Jackman
Teresa U. Medler
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capuano
Eldora Ellison Floyd
Thomas C. Fiala
Brian J. Del Buono
Virgil Lee Beason
Theodore A. Wood
Elizabeth J. Haanes

Joseph S. Ostroff
Frank R. Cottingham
Christine M. Lhulier
Rae Lynn Prengaman
George S. Bardmesser
Daniel A. Klein*
Jason D. Eisenberg
Michael D. Specht
Andrea J. Kamage
Tracy L. Muller*
LuAnne M. DeSantis
Ann E. Summerfield
Tiera S. Coston
Aric W. Ledford*
Helene C. Carlson
Timothy A. Doyle*
Jessica L. Parezo
Gaby L. Longworth*

Lori A. Gordon*
Nicole D. Dretar*
Ted J. Ebersole
Jyoti C. Iyer*
Laura A. Vogel

Registered Patent Agents*
Karen R. Markowicz
Nancy J. Leith
Matthew J. Dowd
Aaron L. Schwartz
Katrina Yujian Pei Quach
Bryan L. Skelton
Robert A. Schwartzman
Teresa A. Colella
Jeffrey S. Lundgren
Victoria S. Rutherford
Michelle K. Holoubek

Robert H. DeSelms
Simon J. Elliott
Julie A. Heider
Mita Mukherjee
Scott M. Woodhouse
Michael G. Penn
Christopher J. Walsh

Of Counsel
Kenneth C. Bass III
Evan R. Smith
Marvin C. Guthrie

*Admitted only in Maryland
*Admitted only in Virginia
*Practice Limited to
Federal Agencies

July 23, 2004

WRITER'S DIRECT NUMBER:
(202) 772-8615
INTERNET ADDRESS:
FRANKC@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 1636

Re: U.S. Utility Patent Application
Application No. 10/035,216; Filed: January 4, 2002
For: **Viral Delivery System for Infectious Transfer of Large Genomic DNA**
Inserts
Inventors: Chiocca *et al.*
Our Ref: 0609.5050005/JAG/KRM/FRC

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Reply to Restriction Requirement; and
2. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents

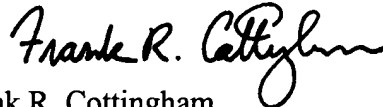
July 23, 2004

Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Frank R. Cottingham
Attorney for Applicants
Registration No. 50,437

FRC/pcd

Encls.

290121v1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CHIOCCA *et al.*

Appl. No. 10/035,216

Filed: January 4, 2002

For: **Viral Delivery System for
Infectious Transfer of Large
Genomic DNA Inserts**

Confirmation No.: 3452

Art Unit: 1636

Examiner: Garvey, T.

Atty. Docket: 0609.5050005/KRM/FRC

Reply to Restriction Requirement

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated **June 28, 2004**, requesting an election of one invention to prosecute in the above-referenced patent application, Applicants hereby provisionally elect to prosecute the invention of group I, represented by claims 1-3.

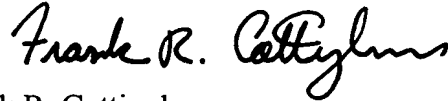
This election is made without prejudice to or disclaimer of the other claims or inventions disclosed. This election is made **without** traverse.

It is not believed that extensions of time are required beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Consideration and allowance of all pending claims are respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, reading "Frank R. Cottingham". The signature is written in a cursive, flowing style.

Frank R. Cottingham
Attorney for Applicants
Registration No. 50,437

Date: July 23, 2004

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

289916.1